

16 August 1982

Mr. Bernie Raimo  
House Select Committee on Intelligence  
Washington, D.C. 20515

Dear Bernie:

We would like to present the following thoughts for your consideration before the end of the conference on revision of the CIA Retirement and Disability System to provide survivor and retirement benefits for divorced and widowed spouses of overseas officers. These items have surfaced in conversations with women facing divorce, with personnel of the U.S. State Department Family Liaison Office, and with officers and members of the Association of American Foreign Service Women, whose membership includes many CIA wives. We realize that any action proposed by the Conference must be within the words of the legislation already voted upon.

We believe that spouses -- including former and widowed spouses -- should receive complete, timely information about their vested rights. We realize that this essential point is difficult to accomplish. It hinges on direct communication with spouses. Our legal counsel, [redacted] has been consulted and agrees with our position on this point.

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The problem of communication has already been recognized. Many of the 75 comments received during the 10 additional days that the record was held open following the 5 May 1982 Senate Hearing concerned the difficulties in communicating terms of the bill to CIA employees. The problem is compounded for communication with wives. And reaching divorced and widowed spouses is still more difficult.

We believe that information on these vested rights should go directly to each spouse without relying on any intermediary, such as the employed officer who through inattention or carelessness might not deliver the communications or who might have reasons of his own for withholding some or all of the provided information.

We believe that it is vitally important for spouses to be informed well in advance of any divorce actions. Otherwise, through ignorance and a desire to avoid further stressful contention, they may sign away their vested rights. (Some spouses have signed away their chances at any future rights for this reason.)

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Traditionally, CIA spouses are encouraged not to ask questions, to obtain any information about CIA only on a need-to-know basis and then to seek the information from the CIA employee to whom they are married. Many spouses have never been in direct contact with CIA for any reason, other than medical clearance. They would not know how or from whom to obtain the information they needed, even if they had some indication that such rights existed. Some are afraid to contact CIA directly because they fear they might jeopardize security -- the officer's or that of matters of national intelligence. The recent passage of the Identities Bill well may give greater impetus to this reluctance. Other spouses are afraid that exposure of family problems could lead to loss of employment for the officer, in many cases, the only source of income for the entire family.

We believe that informing spouses adequately is vitally important to CIA, also. Senator Durenberger is quoted in the Congressional Record of 30 June 1982 that he is confident that the amendment will aid in the recruitment of bright motivated people to serve the CIA, as well as providing for a better life overseas by giving spouses the assurance of some economic security for themselves and their families. But for the amendment to have this impact, the spouses must know about the amendment early in their association with CIA.

Recognizing this need for timely information distribution, we encourage final approval of the provision in the Senate legislation Sec. 605 (c) (as reported in the 30 June 1982 Congressional Record enclosed) concerning "a survivor annuity elected under this subsection:"

The director shall on an annual basis...

(2) to the maximum extent practicable, inform spouses or former spouses of participants or former participants of their rights under this section and Section 222. (retirement annuities; this part added)

This responsibility was recognized during debate of the parallel legislation, the Foreign Service Act of 1980 (reported in the 1 October 1980 issue of the Congressional Record), in which the Secretary of State is urged:

...to review, advise, and generally assist participants and their spouses or former spouses on whether their spousal agreements can be honored.

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And the Secretary is admonished:

This new retirement law should be interpreted consistent with its intent by both the courts and the Department of State. It is the intent of Congress that Foreign Service divorced spouses be protected against poverty in old age. Regulations and decisions that restrict these protections are contrary to the will of Congress.

We would suggest the following ways to provide this information to spouses:

The first notification of vested spousal rights should be in a packet of family-related information provided directly to each spouse at the time the married officer enters on active CIA duty.

The message should be a matter of record in the Family Employee Liaison Office at CIA, through which CIA employees and their spouses are encouraged to process on the way to and from overseas assignments. (See attachment for similar proposal regarding the FS Act of 1980.)

The message should be sent directly to spouses in newsletters--like that proposed at meeting of the Task Force on Women's Concerns-- or similar formats.

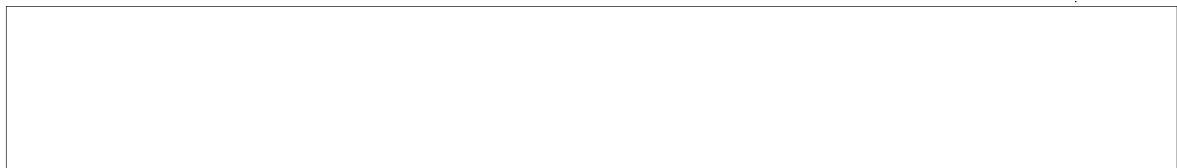
The information should be included in training courses which spouses attend, such as the course for wives of Chiefs of Stations, the overseas briefing classes, and the classes for officers entering training for overseas service.



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And because this type of legislation would seem to cover all--or nearly all--spouses of U.S. Government officials serving abroad, consideration should be given to making a general statement in the national press, requesting concerned spouses to pursue additional details directly from the employing agency.

Again, may we express our gratitude to you, Bernie, and to the other members of the Intelligence Committee staff for your help, sympathy, and understanding through the entire process of this legislation. We and the many who will benefit are grateful.



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